IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 4392 of 2004

Between:

Sri Syed Mazaz-Ul-Haq, S/o Sri Syed Shah-Noor-Ul-Haq,
R/o 22-7-269/1, Diwandevdi, Hyderabad.

... PETITIONER

AND

1. Commissioner of Excise and Prohibition, Government of Andhra Pradesh,

Hyderabad.

2. AP Housing Board, Gagan Vihar, MJ Road, Hyderabad rep.by its Vice

Chairman and Housing Commissioner.

3. AP Housing Board, Gangan Vihar, MJ Road, Hyderabad rep. By its Executive

Engineer, Central Division.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate Writ, Order or direction preferably a Writ in the nature of Mandamus declaring the action of the Respondent in not issuing the Licence to the Petitioner in accordance with the Andhra Pradesh Excise Act and the Rules made thereunder to vend Liquor in retail in the Restaurant of the petitioner herein in terms of petitioner's application dated 1/11/2003 as being illegal, arbitrary and violative of Article 14 of the Constitution of India and dehors the letter No.490/E2/EEC/2000 dated 08.03.2004 issued by the second respondent; and consequently direct the respondent to grant the said licence to the petitioner forthwith and to pass orders on

the Application of the Petitioner by granting the Licence to the Petitioner

Counsel for the Petitioner: MR.P.VENUGOPAL

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following order:

ORDER:

Learned Government Pleader for Prohibition & Excise Submits that the writ petition was filed for a direction to the respondents to grant licence in favour of the petitioner pursuant to the application of the petitioner dated 01.11.2003, which was considered and licence was granted to the petitioner. Therefore, the subject matter of the writ petition has become infructuous.

Recording the above submission the writ petition is dismissed as having become infructuous. No costs.

V. ESWARAIAH, J

April 11, 2005

Dsk

To

1. The Commissioner of Excise and Prohibition, Government of Andhra Pradesh, Hyderabad.

2. The Vice Chairman and Housing Commissioner AP Housing Board, Gagan Vihar, MJ Road, Hyderabad.

3. The Executive Engineer, Central Division AP Housing Board, Gangan Vihar, MJ Road, Hyderabad.

4. Two CCs to GP For Prohibition & Excise, High Court Buildings, Hyderabad (OUT).

Two CD Copies.